JUN DOCKET: C 08

### IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT:	Michael Stuart GARDNER		)	Group Art Unit: 3309
SERIAL NO:	08/185,994		)	Examiner: G. Dawson
FILING DATE:	March 31, 1994		)	Allowed: 03/20/95
TITLE:	EAR TAG APPLICATOR	;	)	Batch No: J84

The Commissioner of Patents & Trademarks BOX ISSUE FEES

Washington, D.C. 20231

## LETTER ACCOMPANYING ISSUE FEE PAYMENT REGARDING SMALL ENTITY STATUS

Dear Sir:

uspto/6-16

This is a letter accompanying the issue fee payment.

It is respectfully submitted that a Verified Statement Claiming Small Entity Status in favor of the applicant was filed on April 15, 1994 together with a request for a partial refund of the government filing fee. The Patent Office acknowledged receipt of these materials by date-stamping the return postcard (copies enclosed).

The refund was granted by the Patent Office as shown in the attached copy of applicant's attorney's Monthly Statement of Deposit Account dated July 31, 1994.

It is respectfully submitted that the Patent Office has already acknowledged receipt of the Small Entity Statements of the applicant and therefor the issue fee being paid at this time is being paid at the small entity rate.

However, if the Office believes the applicant is not entitled to claim small entity status, the Commissioner is authorized to charge our Deposit Account No. 12-0400 in the amount of the additional fee required for payment of the issue fee.

A duplicate copy of this letter is attached.

Respectfully submitted,

Attorney for Applicant

Richard J. Streit, Peg. 25765 c/o Ladas & Parry

224 South Michigan Avenue Chicago, Illinois 60604

(312) 427-1300

SEE REVERSE FOR SERVICE GUARANTEE.  INSURANCE COVERAGE AND CLAIMS THANK YOU FOR CHOOSING EXPRESS  WALL SERVICE  WA						
POST OFFICE  The Solid No. 10 Control of the Solid No. 10	SEE REVERSE FOR SERVICE GUARANTEE, INSURANCE COVERAGE AND CLAIMS THANK YOU FOR CHOOSING EXPRES MAIL SERVICE.	THE STATE OF THE S	Topinestic Only (   Source   S	TO LEGAL BATE BATE TO THE PROPERTY OF THE PROP	EASHINGTON DC (2023) 2004 (spisoid) Jángič, kiskob to N reigerő, laktrak tált sterníod ceytolgne, ynatileg, to Jinege a plácebne stereníod	OGRAFIA ATTENDED TO THE STATE OF THE STATE O
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The Patent & Trademark Office acknowledg date of receipt of the items checked below:	The Patent & Trademark Office acknowledges and has stamped hereo date of receipt of the items checked below:
<ul> <li>New pat./design/PCT appln.</li> <li>Xransmittal letter</li> <li>—pages spec./abstract</li> <li>—pages ofclaims</li> <li>—sheets of drawings</li> <li>Declaration/Power</li> </ul>	☐ Assignment  Small Entity Statement (3)  C C of priority document  Amendment  Fee
APPLICANT: Michael Stuart GARDNER SFRIAI NO 08/185,994	ER
FILED: January 31, 1994	APR APR
DOCKET: CU-1108 DATE: 04/15/94	1994

## Certification under 37 CFx 1.10

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal  $\,$ Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10, "Express Mail" Mailing No. TB445777145US on April 15, 1994 and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Debra M. Szumowski Name of person mailing paper of person mailing paper

DOCKET: CU-1108

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Michael Stuart GARDNER SERIAL NO: 08/185,994 January 31, 1994 FILED: TITLE: EAR TAG APPLICATOR COMPLETION OF PCT/GB92/01416 FILED 31 JULY 1992

The Commissioner of Patents & Trademarks Washington, D.C. 20231

#### SUBMISSION OF VERIFIED SMALL ENTITY STATEMENT & REQUEST FOR REFUND UNDER 37 CFR 1.28(a)

Dear Sir:

Enclosed are three Verified Statements Claiming Small Entity Status in connection with the above-identified application.

This request for refund is being made within two months of the date of payment of the surcharge for late filing of the Combined Declaration and Power of Attorney in this application on April 6, 1994.

Please refund one-half of said fee, namely \$65 and credit the same to our Deposit Account No. 12-0400.

A duplicate copy of this request is attached.

Respectfully submitted,

mil 15, 1994

252T/6

Attorney for Applicant

Thomas F. Peterson c/o Ladas & Parry 224 South Michigan Avenue Chicago, Illinois 60604

Reg. No. 24790

DOCKET: CU-1108

#### PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
x In re application of : Michael Stuart GARDNER
Senal No.: 08/185,994 Group No.:
Filed: January 31, 1994 Examiner
For EAR TAG APPLICATOR
Patent No.: Issued:
*NOTE: Insert name(s) of inventor(s) and bile also for patent, Where statement is with respect to a maintenance fee payment also insert application senal number and filling date and add Box M. Fee to address.
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))
With respect to the invention described in
the specification filed herewith.
x application serial no. 08/185,994 filed January 31, 199
I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY  I hereby declare that I am
(complete either (a), (b), (c) or (d) below):
(a) Independent inventor
a below named independent inventor and that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code to the Patent and Trademark Office.
(b) Non-inventor Supporting a Claim By Another
making this venfied statement to support a claim by
for a small entity status for purposes of paying reduced fees under Section 41(a) and (b) of Title 35. United States Code and I hereby declare that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 41(a) and (b) of Title 35. United States Code, if I had made the above identified invention.
(c) Small Business Concern
the owner of the small business concern identified below:
an official of the small business concern empowered to act on behalf of the con- cern identified below:
NAME OF CONCERN
ADDRESS OF CONCERN
and
that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1 9(d), for purposes of paying reduced fees under Section 41(a) and (b) of the Title 35. United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500

(Small Entity Verified Statement (37 CFR 1.9(c-f) and 1.27(b-d) [7-10]—page 1 of 4)

persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons emologed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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(d) Non-	-Profit Organization an official empowered to ac	t on behalf of the nonprofit	organization identified
	below:		
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DDRESS	OF ORGANIZATION		
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YPE OR	ORGANIZATION		
_	UNIVERSITY OR OTHER IN	STITUTION OF HIGHER ED	UCATION
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lefined in	the nonprofit organization ider 1 37 CFR 1.9(e) for purposes 5, United States Code.	ntified above qualifies as a n of paying reduced fees unde	onprofit organization as ar Section 41(a) and (b)
l ḥereb	ERSHIP OF INVENTION BY y declare that rights under c the above identified	DECLARANT contract or law remain with	and/or have been con-
	🟋 person	concern	organization
(iten	n (a) or (b) above)	(item (c) above)	(item (d) above)
EXCEPT. naving rig any perso	that if the rights held are no ghts to the invention is listed l on who could not be classifier on had made the invention, concern under 37 CFR 1.9(d)	below, and no rights to the i	r under 37 CFR 1.9(c) if d not qualify as a small
_	no such person, concern, o	r organization	
$\bar{\mathbf{x}}$	person, concerns or organiz	zations listed below*	•
NOTE	Separate ventied statements are required to the invention avering to their statu:	uired from each named person, conc. s as small entities, (37 CFR 1-27).	
	II Carried Statement	(37 CEB 1 9(c-f) and 1,27(b-c	1) [7-10]—page 2 of 4)

FULL NAME ADDRESS NEW ZEE INTERNATIONAL ROAD, Remuera, Auckland, New Zealand
TINDIVIDUAL TO SMALL BUSINESS CONCERN TO ROBROFIT OF GANIZATION  FULL NAME MICHAEL HOWARD HAWKINS  ADDRESS 70 Rosecamp Road, Beach Haven, Auckland, New Zealand
▼ INDIVIDUAL
III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))
IV. DECLARATION
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, urical Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.
V. SIGNATURES
(complete only (e) or (f) below)
NOTE. All inventors must sign the verified statement Michael Stuart Gardner  Name of inventor  Michael Stuart Gardner  Signature of inventor
Name of Inventor  Signature of Inventor
Name of inventor  Date

(Small Entity Verified Statement (37 CFR 1.9(c-f) and 1 27(b-d) [7-10]—page 3 of 4)

add lines for any additional inventors who must sign

OR

· ·	
NOTE: The title of the person signing on behalf of a concern or non-profit organization sho	ould be specified.
NAME OF PERSON SIGNING	
TITLE OF PERSON	
	,
(if signing on behalf of a concern or non-profit organization)	
ADDRESS OF PERSON SIGNING	
	•
SIGNATURE	DATE

1	N THE	UNIT			ATENT A			RK	OFFI	CE	
_x In re a	pplicat	ion of	. Mic	chael	Stuart	GARD	NER				
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With resp	ect to t	he inv	ention de	scribed	in					•	
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. IDENTIF	ICATIO	N OF	DECLAF	RANT A	ND RIGH	S AS A	SMALL	ENT	TTY		
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			(comple	ate eithe	r(a).(b).(c	) or (d) b	eiow):				
(a) Indep	enden	t inve	ntor								
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PATENT

number of employees of the concern, including those of its affiliates, does not exceed 500 (Small Entity Verified Statement (37 CFR 1.9(c-f) and 1.27(b-d) [7-10]—page 1 of 4)

persons. For purposes of this statement. (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control the other.

	ontrol both.	other, or a time party or par	mes connects or mas trie
(d) <u>Non-</u>	Profit Organization an official empowered to below:	act on behalf of the nonprofi	t organization identified
NAME OF	ORGANIZATION		
ADDRESS	OF ORGANIZATION		
TYPE OR	ORGANIZATION		
_	UNIVERSITY OR OTHER	INSTITUTION OF HIGHER ED	UCATION
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I hereby	ERSHIP OF INVENTION BY declare that rights under the above identified	Y DECLARANT contract or law remain with	and/or have been con-
	person	_X concern	organization
	(a) or (b) above)	(	(item (d) above)
having rig	hts to the invention is listed in who could not be classified by had made the invention	not exclusive, each individual, d below* and no rights to the i ed as an independent invento , (2) any concern which would d) or (3) a non-profit organizati	invention are held (1) by ir under 37 CFR 1.9(c) if d not qualify as a small
=	no such person, concern,	or organization	
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	to the invention avering to their state		
(Sm	all Entity Verified Statemen	t (37 CFR 1.9(c-f) and 1.27(b-c	d) [7-10]—page 2 of 4)

FULL NAME MICHAEL HOWARD HAWKINS	
ADDRESS 70 Rosecamp Road, Beach Ha	ver, Auchlard, New Zealand
ZINDIVIDUAL Z SMALL BUSINESS CONCERN FULL NAME MICHALL STUART GARDNER	NONPROFIT CHGANIZATION
ADDRESS 108 Waiatarua Road, Remue	ra, Auckland, New Zealand
INDIVIDUAL SMALL BUSINESS CONCERN	NONPROFIT CRGANIZATION
III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY P	TO OF STATUS CHANGE
I acknowledge the duty to file, in this application or status resulting in loss of entitlement to small entity spaying, the earliest of the issue fee or any maintenance tus as a small entity is no longer appropriate. (37 CFR	atus prior to paying, or at the time of e fee due after the date on which sta-
IV. DECLARATION	
all statements made on information and belief are be these statements were made with the knowledge that so made are punishable by fine or imprisonment, or bothe United States Code, and that such willful false state the application, any patent issuing thereon, or any patenties.  V. SIGNATURES	t willful false statements and the like oth, unlier Section 1001 of Title 18 of ements may jeopardize the validity of
(complete only (e) or (f) b	nelow)
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Name of inventor	Cate
Signature of inventor	
<i>i</i> .	
Name of Inventor	Cate
Signature of inventor	
Name of Inventor	Cate

add lines for any additional inventors who must sign

OR

	HAFL STUART GARDNER
E OF PERSONDir	ector
(if signing on bet	alf of a concern or non-profit organization)
	108 Waiatarua Road, Remuera,
RESS OF PERSON SIGNING	100 Walacarua Koad, Kemuera,

#### PATENT

## In re application of: Michael Stuart GARDNER 08/185,994 Serial No.: Group No.: Filed: January 31, 1994 Examiner For EARTAG APPLICATOR Patent No.: NOTE: Insert name(s) of inventor(s) and title also for patent. Where statement is with respect to a maintenance red payment also insert application senal number and filing date and add 80x M. Fee to address, VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d)) With respect to the invention described in the specification filed herewith. application serial no. 08/185,994 filed January 31, 1994 \_, iss\_ ... I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY I hereby declare that I am (complete either (a), (b), (c) or (d) below): (a) Independent inventor a below named independent inventor and that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code to the Patent and Trademark Office. (b) Non-inventor Supporting a Claim By Another making this ventied statement to support a claim by Michael Stuart Gardner for a small entity status for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code and I hereby declare that I would qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 41(a) and (b) of Title 35, United States Code, if I had made the above identified invention. (c) Small Business Concern the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the concern identified below: NAME OF CONCERN ADDRESS OF CONCERN . that the above identified small business concern qualifies as a small business concern as

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

number of employees of the concern, including those of its affiliates, does not exceed 500 (Small Entity Verified Statement (37 CFR 1.9(c-f) and 1.27(b-d) [7-10]—page 1 of 4)

defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of tithe Title 35, United States Code, in that the

persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

power to c	control both.		
(d) <u>No</u> n-	<ul> <li>Profit Organization         <ul> <li>an official empowered to act of below:</li> </ul> </li> </ul>	on behalf of the nonprofit	organization identified
NAME OF	ORGANIZATION		
ADDRESS	S OF ORGANIZATION		
TYPE OR	ORGANIZATION		
_	UNIVERSITY OR OTHER INST	TITUTION OF HIGHER EDI	JCATION
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1 hereby	IERSHIP OF INVENTION BY DE by declare that rights under con the above identified	CLARANT tract or law remain with a	and/or have been con-
	x person	concern	organization
(item		em (c) above)	(item (d) above)
having rig	that if the rights held are not e ghts to the invention is listed bell on who could not be classified a on had made the invention. (2) concern under 37 CFR 1.9(d) or	ow" and no rights to the ir s an independent inventor any concern which would	nvention are neid (1) by nunder 37 CFR 1.9(c) if not qualify as a small
_	no such person, concern, or or	ganization	
	person, concerns or organizati	ons listed below*	
*NOTE:	Separate venfied statements are required to the invention averning to their status as	small entities. (37CFR 1-27).	
	II Face Varied Statement (27	CER 1 9(c-f) and 1 27(b-d	17-101-page 2 of 4)

FULL NAME NEW ZEE INTERNATIONA	AL
ADDRESS	
A0011230	
- INDIVIDUAL X SMALL BUSINESS CONFULL NAME Michael Stuart GARDN	ICERN NONPROFIT ORGANIZATION
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ADDITESS	
_ INDIVIDUAL _ SMALL BUSINESS COM	NCERN TONPROFIT CAGANIZATION
III. ACKNOWLEDGEMENT OF DUTY TO NO	TIFY PTO OF STATUS CHANGE
I acknowledge the duty to file, in this application status resulting in loss of entitlement to small braying, the earliest of the issue fee or any maintus as a small entity is no longer appropriate. (3)	entity status prior to paying, or at the time of itenance fee due after the date on which sta-
IV. DECLARATION	
I hereby declare that all statements made he all statements made on information and belie these statements were made with the knowles or made are punishable by fine or imprisonme the United States Code, and that such willful fathe application, any patent issuing thereon, or directed.	ef are believed to be true; and further that dge that willful 'alse statements and the like nt, or both, ur : ar Section 1001 of Title 18 of ilse statements may jeopardize the validity of
V. SIGNATURES	
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NOTE. All inventors must sign the ventied statement	
	<del>-</del> 7
Name of inventor	Cate
Signature of Inventor	-
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*	
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The state of the s	Cate
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add lines for any additiona	Inventors who must sign

(Small Entity Verified Statement (37 CFR 1.9(c-f) and 1 27(b-d) [7-10]—page 3 of 4)

OR

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•	
(if signing on beh	nalf of a concern or non-profit organization)
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(Small Entity Verified Statement (37 CFR 1.9(c-f) and 1.27(b-d) [7-10]—page 4 of 4)





# UNITED STATES DEPARTMENT OF COMMERCE Patent Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

## MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

LADAS & PARRY 224 S MICHIGAN AVENUE CHICAGO ILLINOIS 60604 FINA

Account No. 12-0400

Date 07-31-94

Page 1

PLEASE SEND REMITTANCES TO: Patent and Trademark Office P.O. Box 70541 Chicago, III. 60673

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